

ENTERED

March 06, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CIVIL ACTION NO. 7:18-CV-303
	§	
26.000 ACRES OF LAND, MORE OR	§	
LESS, <i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER

The Court has considered the UNOPPOSED MOTION FOR ORDER ESTABLISHING JUST COMPENSATION AND DISTRIBUTING FUNDS ON DEPOSIT IN THE REGISTRY OF THE COURT filed by Plaintiff, the United States of America, announcing to the Court there is no disagreement to the amount of just compensation and requesting a distribution of funds on deposit with the Registry of the Court.

Under Fed. R. Civ. P. 71.1(j)(2), “[a]fter a deposit, the court and attorneys must expedite the proceedings so as to distribute the deposit and to determine and pay compensation.” On September 28, 2018, Plaintiff filed a Declaration of Taking¹ (“Declaration”) and Complaint in Condemnation² for a twelve (12) month temporary easement for real property.³ On October 22, 2018, Plaintiff deposited \$100.00 into the Registry of the Court as estimated just compensation for the right of entry.⁴ On November 20, 2018, Plaintiff filed an Opposed Motion for Immediate

¹ Dkt. No. 2

² Dkt. No. 1

³ The property is more particularly described at Schedules “C”, “D”, and “E” of Dkt. No. 2

⁴ Dkt. No. 7

Possession (the "Motion").⁵ On December 12, 2018, a hearing was held on the Motion and the Motion was granted.⁶

Therefore, the Court finds the owner of the real property identified as Tract No. RGV-WSL-1021 (hereinafter referred to as the "Property")⁷ to be the Pharr Oratory of St. Philip Neri of Pontifical Rite, a Texas Non Profit Corporation.⁸ The Court finds that the Pharr Oratory of St. Philip Neri of Pontifical Rite, a Texas Non Profit Corporation is entitled to the full amount of the just compensation for the twelve (12) month temporary easement for the Property.

The Court GRANTS the Motion determining the amount of just compensation for the twelve (12) month temporary easement for the Property in the amount of one hundred and 00/100 dollars (\$100.00), plus any accrued interest thereon; and

ORDERS the Clerk of the Court forthwith to disburse the sum of one hundred and 00/100 dollars (\$100.00), along with any accrued interest earned, to the property owner at:

Pharr Oratory of St. Philip Neri of Pontifical Rite, a Texas Non Profit Corporation
c/o Garza and Garza, 680 E. St. Charles. Ste. 300, Brownsville, Texas 78520

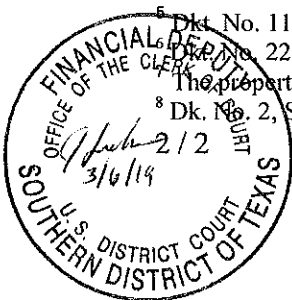
The check should reference Tract No. RGV-WSL-1021; and

The Clerk of the Court is instructed to close the case.

SO ORDERED this 6th day of March, 2019, at McAllen, Texas.



Randy Crane
United States District Judge



⁵ Dkt. No. 11
⁶ Dkt. No. 22

The property is more particularly described at Schedules "C", "D", and "E" of Dkt. No. 2.
⁸ Dk. No. 2, Schedule C.